

This Instrument Prepared By:
Realty Closing Services, Inc.
6510 Stage Road
Bartlett, Tennessee 38134

BK 0323 PG 0408

STATE MS.-DE SOTO CO.

OCT 16 1 44 PM '97

BK 323 PG 408
W.E. DAVIS CH. CLK.

EASEMENT AGREEMENT

WHEREAS, Rick Sayger and wife, Lisa Sayger, hereinafter referred to as parties of the first part, are the owners of a certain piece of property more particularly described as follows:

See attached Exhibit A for Legal Description

WHEREAS, Rick Sayger and wife, Lisa Sayger, hereinafter referred to as parties of the second part, are the owners of a certain piece of property more particularly described as follows:

See attached Exhibit B for Legal Description

WHEREAS, the parties of the second part have constructed a driveway for ingress and egress to their residence and said driveway exists across property owned by the parties of the first part, but no formal instrument has been placed of record establishing the parties of the second part's right to use the driveway, nor has there been any formal agreement between the parties as to the upkeep and maintenance of the driveway.

WHEREAS, the parties hereto agree that it will be of mutual benefit to create an ingress and egress easement to establish their rights and responsibilities with regard to the driveway,

NOW, THEREFORE, in consideration of the sum of One (\$1.00) Dollar, cash in hand paid by the parties of the second part to the parties of the first part, the receipt and sufficiency of which is hereby acknowledged, and the mutual agreements as contained herein, the said parties of the first part do hereby transfer and convey unto the parties of the second part, an easement for the use and maintenance of said driveway. The location of the driveway is depicted on the survey and legal description which is attached hereto as Exhibit C. The parties hereto agree that this survey and legal description are accurate in their depiction of the driveway.

FURTHER, this easement shall run with the land and shall exist between the undersigned parties and be binding upon their successors and assigns.

FURTHER, by the execution of this instrument, all of the parties hereto agree, that the maintenance and upkeep of the driveway, will be the sole obligation and responsibility of the parties of the second part, subject to the following conditions:

1. The driveway constructed within the above described easement shall be maintained in good repair by the parties of the second part.
2. The parties of the second part shall bear all liability for any loss, injury, or claim of any kind growing out of or in any way connected with the use by anyone of such easement for any purpose whatsoever.

FURTHER, the parties of the first part, by the execution of this instrument, convey to the parties of the second part the interest in said easement for the use and maintenance of said driveway, subject to the terms hereinabove set out.

WITNESS the signatures of all of the parties this 13th day of October, 1997.

Parties of the First Part:

Rick Sayger
Rick Sayger

Lisa Sayger
Lisa Sayger

Parties of the Second Part:

Rick Sayger
Rick Sayger

Lisa Sayger
Lisa Sayger

STATE OF TENNESSEE
COUNTY OF SHELBY

Before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared Rick Sayger and wife, Lisa Sayger to me known to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same for the purposes therein contained.

WITNESS my hand and notarial seal at office this the 13th day of October, 1997.

My Commission Expires: 3/7/98

[Signature]
Notary Public

RETURN TO:
Realty Closing Services, Inc.
6510 Stage Rd.
Bartlett, TN 38134
(901) 382-0470

EXHIBIT A

Part of the E 1/2 of the NE 1/4, Section 30, T-3-S, R-6-W, Desoto County, Mississippi, more particularly described as follows:

COMMENCING at a PK nail found at the NW corner, SE 1/4, NE 1/4 of said section; thence south 07 degrees 03 minutes 40 seconds east a distance of 28.50 feet to a point in the south line of Holly Springs Road (60 foot Right-Of-Way) said point being the point of beginning; thence easterly along said south road line the following calls:

North 75 degrees 59 minutes 50 seconds east, 225.57 feet;
Curve left-Delta = 14 degrees 07 minutes 28 seconds - Arc = 377.18 feet
Radius = 1530 feet;

North 61 degrees 52 minutes 22 seconds east 396.47 feet;
Curve Right-Delta = 08 degrees 48 minutes 03 seconds - Arc = 302.60 feet
Radius = 1970.00 feet;

North 70 degrees 40 minutes 25 seconds east a distance of 111.16 feet to a rebar set;

Thence S 05 degrees 25 minutes 48 seconds east a distance of 368.35 feet; thence S 06 degrees 27 minutes 14 seconds east a distance of 1307.29 feet; thence S 83 degrees 46 minutes 01 seconds west a distance of 712.13 feet to a rebar set; thence N 02 degrees 26 minutes 42 seconds west a distance of 802.40 feet to a rebar set; thence south 83 degrees 57 minutes 32 seconds west a distance of 684.83 feet to a rebar set; thence N 07 degrees 03 minutes 40 seconds west a distance of 482.00 feet to the point of beginning and containing 33 acres. Bearings are magnetic.

LESS AND EXCEPT THE FOLLOWING:

BEGINNING at the southeast corner of the east half of the northeast quarter of Section 30, T-5-S, R-6-W, Desoto county, Mississippi; thence south 883 degrees 46 minutes 01 seconds east, a distance of 850 feet; thence north 06 degrees 21 minutes 14 seconds west a distance of 447 feet; thence north 83 degrees 46 minutes 01 seconds east a distance of 300.00 feet; thence north 06 degrees 27 minutes 14 seconds west a distance of 860.54 feet; thence north 05 degrees 25 minutes 48 seconds west a distance of 556.43 feet to the south right-of-way line of Holly Springs Road (60 foot right-of-way); thence north 10 degrees 40 minutes 25 seconds east along said south right-of-way line a distance of 51.51 feet; thence south 05 degrees 25 minutes 48 seconds east a distance of 368.35 feet; thence south 06 degrees 21 minutes 14 seconds east a distance of 1307.24 feet to the point of beginning and containing 5.0 acres. This description is from a boundary survey made by Newton E. Land, III, land surveyor, license number 2501.

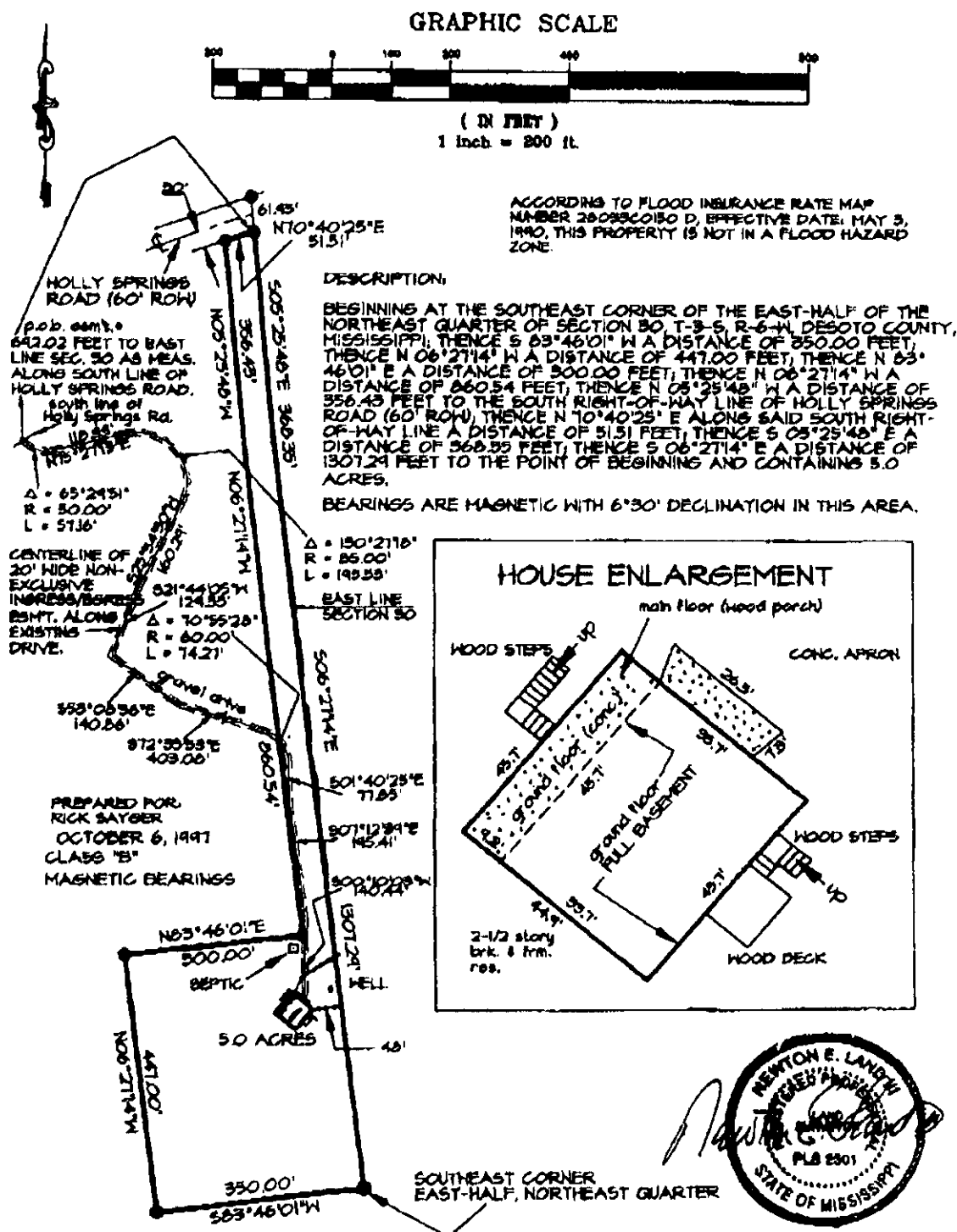
Return To
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EXHIBIT B

BEGINNING at the southeast corner of the east half of the northeast quarter of Section 30, T-5-S, R-6-W, Desoto County, Mississippi; thence south 883 degrees 46 minutes 01 seconds east, a distance of 850 feet; thence north 06 degrees 21 minutes 14 seconds west a distance of 447 feet; thence north 83 degrees 46 minutes 01 seconds east a distance of 300.00 feet; thence north 06 degrees 27 minutes 14 seconds west a distance of 860.54 feet; thence north 05 degrees 25 minutes 48 seconds west a distance of 556.43 feet to the south right-of-way line of Holly Springs Road (60 foot right-of-way); thence north 10 degrees 40 minutes 25 seconds east along said south right-of-way line a distance of 51.51 feet; thence south 05 degrees 25 minutes 48 seconds east a distance of 368.35 feet; thence south 06 degrees 21 minutes 14 seconds east a distance of 1307.24 feet to the point of beginning and containing 5.0 acres. This description is from a boundary survey made by Newton E. Land, III, land surveyor, license number 2501.

RETURN TO:
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EXHIBIT C



REVISOR: 10-11-97

Land Surveying Company
170 HARRIS ROAD
COLDWATER, MISSISSIPPI 39012
601-328-2475

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